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Attorneys for Defendant
NAN YOUNG PARK

RECEIVED

OCT 31 2008

RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WELLS FARGO BANK, N.A. as
TRUSTEE for the CLARA POPPIC
TRUST,

Plaintiff(s),
vs.

KENNETH G. RENZ, ESTATE OF
JACKSON R. DENNISON; ESTATE OF
WILEY UMSTEAD; KAZUKO
UMSTEAD; WON JAE YI aka MICHAEL
YI; NAN Y. PARK; GUAN HUAN; YING
ZHANG and SUI SONG,

Defendants.

Case No. CV 08 2561 SBA

STIPULATION AND REQUEST FOR
ORDER SETTING ASIDE DEFAULT
ENTERED AGAINST NAN YOUNG PARK

IT IS STIPULATED, by and between plaintiff and defendant Nan Young Park, by
and through their attorneys, as follows:

1. The default entered against Nan Young Park on August 11, 2008, shall be set
aside for good cause pursuant to Federal Rule Civil Procedure, Rule 55(c). In light of the
Court's order of September 17, 2008, granting Plaintiff leave to file a Second Amended
Complaint, the default against Nan Young Park shall be set aside pursuant to Rule 5(a)(2)
and *D'Angelo v. Potter* (D.Mass 2004) 221 F.R.D 289, on the additional grounds that


1 Plaintiff's Second Amended Complaint asserts new and additional claims against
2 defendant.

3 2. Defendant Nan Young Park shall respond to Plaintiff's Second Amended
4 Complaint no later than 10 days after the Second Amended Complaint is served on
5 defendant Nan Park, through his counsel. In the event that Plaintiff does not file the
6 Second Amended Complaint on or before December 4, 2008, Defendant Nan Young Park
7 shall respond to Plaintiff's First Amended Complaint on or before December 14, 2008.

8 Dated: October 30, 2008

DONGELL LAWRENCE & FINNEY

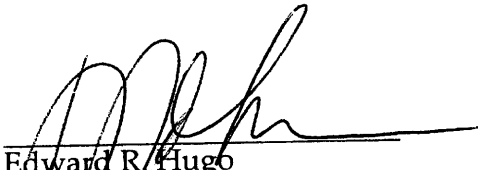
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11 By:

 for Richard Dongell
Richard Dongell
Attorneys for Plaintiff
WELLS FARGO BANK, N.A. as
TRUSTEE for the CLARA POPPIC
TRUST

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15 Dated: October 30 2008


BRYDON HUGO & PARKER

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17
18 By:


Edward R. Hugo
Roland E. Thé
Josette D. Johnson
Attorneys for Defendants
NAN YOUNG PARK

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22 IT IS SO ORDERED.

23 Dated 11/4/08


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge